

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

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January 14, 2004

T.R.A. DOCKET ROOM

IN RE: Complaint of US LEC Against BellSouth) *Docket No 03-00639*
and Request for Expedited Ruling and for)
Interim Relief)
)

AMENDMENT TO COMPLAINT OF US LEC

US LEC of Tennessee Inc. ("US LEC") moves to amend the above-captioned complaint filed against BellSouth Telecommunications, Inc. ("BellSouth") by deleting paragraphs 22 through 25 and substituting the following paragraphs.

FOURTH CLAIM FOR RELIEF

22. Paragraphs 1-25 above are realleged and incorporated herein.
23. The Interconnection Agreement between US LEC and BellSouth, approved by the Authority on June 8, 2001 in Docket 01-00282, includes provision 15.8 of Attachment 2 which states:

Calling Name Database

The parties shall make available their calling name database at the rates, terms and conditions contained in their respective calling name database Agreements.

24. The parties "respective calling name database Agreements" are the agreement between TSI and BellSouth and the agreement between US LEC and TSI. The agreement sets forth the "terms and conditions" under which US LEC, acting through TSI, has made its calling name database available to BellSouth.

25. As explained by David Robinson, Director of Regulatory Affairs for TSI (see attached letter), the contract between TSI and BellSouth remains in effect. BellSouth, however,


has made a unilateral decision to discontinue making CNAM queries of the TSI database after TSI declined to amend the terms of the contract. Although TSI does not believe that this action by BellSouth violates the contract, TSI supports the allegations of US LEC that BellSouth's decision adversely affects customers who purchase Caller ID services and carriers that offer Caller ID services. See attached letter.

26. Whether or not BellSouth has violated its contract with TSI, BellSouth's refusal to interconnect with US LEC via the TSI database violates Section 251(a) of the federal Telecommunications Act which states, "Each telecommunications carrier has the duty – (1) to interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers."

US LEC would also like to bring to the attention of the Authority that, in both North Carolina and Georgia, BellSouth has resumed providing its customers with the names of US LEC callers pending a final ruling on the merits of US LEC's complaints. US LEC reiterates its request for similar interim relief in Tennessee. Each day that passes causes irreparable harm to US LEC and its customers.

Respectfully submitted,

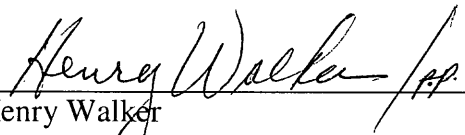
BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 
Henry Walker
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363

CERTIFICATE OF SERVICE

I hereby certify that on January 14 2004, a copy of the foregoing document was serviced on the parties of record, via US mail:

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201-3300


Henry Walker



David Robinson – Manager, Regulatory Affairs

TSI Telecommunication Services, Inc.
One Tampa City Center
Suite 700
Tampa, Florida 33602
Telephone: (813) 273-3307
Facsimile: (813) 273-3077
Email: drobinson@tsiconnections.com

December 22, 2003

Mr. Reece McAlister
Executive Secretary
Georgia Public Service Commission
244 Washington Street, SW
Atlanta, GA 30334-9007

RE: BellSouth's Termination of Caller Identifying Information for BellSouth's Customers who receive calls from US LEC customers.

Dear Mr. McAlister:

TSI Telecommunication Services Inc. (TSI) is a global supplier of interoperability solutions to more than 250 telecommunications operators throughout North America, Latin America, Asia-Pacific and Europe. TSI owns and operates one of the largest independent SS7 networks in the United States. We provide signaling and call-related database services to CLEC and CMRS Carriers, including Caller-Name (CNAM) database storage services associated with provisioning Caller-ID services. We view ourselves as a competitive alternative to the RBOCs for signaling and call-related database services.

TSI's customers for CNAM database storage services are "Eligible Telecommunications Carriers" (Carriers) that have the authority to serve the local exchange in Georgia. Carriers have the ability to use a third-party to provision Caller-ID and CNAM database storage services. Third-party signaling and calling database providers, like TSI, carry no voice traffic and have no independent use for signaling messages or CNAM database storage services, except to support the traffic of our Carrier customers.

BellSouth Telecommunications Inc. and TSI negotiated a contract that allows BellSouth access to TSI's CNAM-storage database. TSI's CNAM database provides name storage for competitive Carriers that want to provision Caller-ID services. Our contract with BellSouth is still in effect. However, BellSouth has requested new terms and TSI can verify that BellSouth stopped launching CNAM queries to TSI after requesting new terms. This unilateral decision by BellSouth does not violate the terms of our contract with BellSouth.

However, this unilateral decision by BellSouth impacts the CNAM data and Caller-ID information provided to any Carrier using TSI for CNAM storage. For example, BellSouth customers will only receive BellSouth customer names on their Caller-ID display – no names will be displayed associated with any customer of a competitive Carrier that stores with TSI. This unilateral decision by BellSouth impacts the investment made by competitive Carriers to offer Caller-ID and the investment made by TSI to develop CNAM storage services for Carriers. TSI respectfully requests the Commission review the implications of this unilateral decision by BellSouth, including its impact on consumers who purchase Caller-ID and Carriers that offer Caller-ID services. In addition, TSI respectfully requests the Commission to use its authority to promote the availability of alternative providers for CNAM storage in the marketplace, ending the reliance on RBOC facilities. Therefore, TSI supports our customer, US LEC, on these issues and we respectfully request the ability to participate in discussions concerning resolution. TSI appreciates the Commission's consideration of these issues. If TSI can provide any additional information, please contact me at 813-273-3307.

Very truly yours,

A handwritten signature in dark ink, appearing to read "David J. Robinson", is written over a horizontal line.

David J. Robinson

cc: All Commissioners
Wanda Montano, US LEC of Georgia, Inc.